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12 *Co-Lead/Liaison Counsel for Plaintiffs*

13 UNITED STATES DISTRICT COURT
14 FOR THE DISTRICT OF ARIZONA

15 In Re Bard IVC Filters Products
16 Liability Litigation

17 No. MD-15-02641-PHX-DGC

18 **CONSENT MOTION TO SEAL**

19 In accordance with Section 25 of the Stipulated Protective Order (Doc. 269),
20 Federal Rule of Civil Procedure 26(c)(1)(G), and Local Civil Rule 5.6, Plaintiffs move
21 this Court for an Order sealing Plaintiffs' unredacted Motion and Incorporated
22 Memorandum of Law to Exclude Certain Opinions and Testimony of Christopher S.
23 Morris, M.D. and Christopher S. Morris, M.D.'s expert report concerning Debra Ann
24 Tinlin which is attached as Exhibit A thereto. Both documents contain personal
25 healthcare information regarding the Debra Tinlin that is protected under HIPAA and
26 confidential under the Stipulated Protective Order, warranting protection from public
27 disclosure.

28 Plaintiff's personal healthcare information is protected under the Privacy Rule of

1 the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), 45 C.F.R. §
2 160, 164(A) & (E), as well as several state-law privileges. The knowing disclosure of
3 such information is prohibited by 42 U.S.C. § 1320d-6. This court has already granted the
4 filing under seal of the similar information when the parties submitted their respective
5 bellwether submissions. *See* Doc. 4366.

6 The parties have met and conferred and agree that Plaintiffs’ unredacted Motion
7 and Incorporated Memorandum of Law to Exclude Certain Opinions and Testimony of
8 Christopher S. Morris, M.D. and exhibit A thereto should be filed and maintained under
9 seal. Based on the stipulation and the parties’ consent to file the unredacted motion and
10 exhibit A thereto under seal for purposes of consideration of the same, the parties jointly
11 request that the exhibits be sealed.

12 RESPECTFULLY SUBMITTED this 1st day of February, 2019.

13 BEUS GILBERT, PLLC

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15 By: /s/ Mark S. O’Connor

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CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of February, 2019, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Jessica Gallentine